



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JUL 23 2008

The Honorable Mitch McConnell
United States Senate
SR-361A Russell Senate Office Building
Washington, D.C. 20510

Exemption of Personal Privacy

Dear Senator McConnell:

Thank you for your June 24, 2008, letter to Stephen Johnson, Administrator of the U.S. Environmental Protection Agency (EPA) on behalf of }

In this most recent correspondence, y expressed concern with radioactive contamination on properties in the Martha Oil Field, and the storage cell on the Lawrence and Johnson County border. Your letter was forwarded to me for a response.

Under the terms of a 1987 Administrative Order on Consent (AOC), EPA continues to oversee the remediation activities being conducted by Ashland Oil Company at the Martha Oil Field site. The main purposes of the AOC are to ensure proper plugging of all subject wells in the oil field and to provide for appropriate remediation of surficial pits, ponds, impoundments, tank batteries, and any other contaminated areas. The remediation activities primarily address the cleanup of petroleum contaminated soils, oil pits, and piping associated with past oil drilling and exploration. In 1995, Ashland also entered into an agreement with the Kentucky Cabinet for Health and Family Services (CHFS) establishing the Martha Reclamation Plan to address pits not covered by EPA's AOC and ensure adherence to a state-established naturally occurring radioactive material (NORM) standard in conducting the remaining reclamation activities.

In an effort to respond to the ongoing concerns expressed by I

EPA and CHFS representatives visited their properties, among others, on June 26, 2007, to conduct joint radiation surveys. While EPA participated in the survey, responsibility for the regulation of NORM rests with the CHFS. The survey data are still awaiting validation by the state's laboratory consultant to Radiation Health Branch (RHB) within the Kentucky Department for Public Health, a CHFS agency. I understand this process, as well as the subsequent data review process, can be lengthy. After data validation and review, the CHFS will issue letters to the property owners whose sites are below cleanup criteria for NORM, as defined by the Martha Reclamation Plan. It is my understanding that those sites that are below the cleanup criteria will not require further cleanup for NORM. However, Ashland acknowledges its remediation responsibility for the pits, which contain oil-related wastes and possibly NORM.

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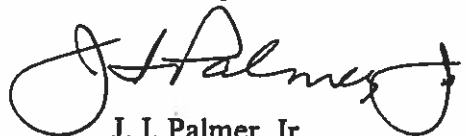
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During the June 2007 visit, EPA and CHFS representatives also observed the storage cell on the Lawrence and Johnson County border which is referenced in M /'s letter. The cell, which is monitored by RHB, receives contaminated materials from properties remediated by Ashland and will continue to do so until remediation activities cease. Before final disposition of the materials, Ashland must submit plans which RHB will review to ensure that public health and safety are maintained.

On May 21, 2008, CHFS sent a letter to property owners with potentially NORM-impacted sites that had not been previously remediated to encourage their participation in remediation activities. I understand that most property owners agreed to grant access; however, did not agree to allow Ashland on their property to complete remediation. Ashland representatives continue to assert their willingness to remediate properties in the Martha Oil Field and, in recent correspondence to CHFS, expressed their desire that remediation will occur as quickly as possible so that it can conclude operations in the Martha Oil Field.

In closing, both we and CHFS officials understand your constituents' concerns, but remain confident that remediation activities in the Martha Oil Field are being conducted responsibly and in compliance with the agreements between Ashland and federal and state regulators. If you have questions or need additional information, please contact me or the Region 4 Office of Congressional and Intergovernmental Relations at (404) 562-8327.

Sincerely,



J. I. Palmer, Jr.
Regional Administrator

cc: Janie Miller, Secretary, CHFS
William D. Hacker, MD, Commissioner, KDPH

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Dear Senator McConnell,

Thank you so much for your response and information in regards to the Martha Oil Field. The residents of our area have a tremendous burden and hardship due to the radioactive contamination on our properties. This has caused us a loss in property value because we cannot sell as area banks will not loan money, a fear of raising livestock and produce for food and still residents that have drilled wells or cistern water that is contaminated.

I would like to inform you of factual information in regards to the U.S. EPA letter that you forwarded on to me.

First, the EPA HAS NOT overseen remediation activities in our area. "If they have as they say, Why is there still radiated pipes, open oil pits and buried pits on our properties?" Why has property been released as clean and released for regular use with radiation still on the properties? We have a document obtained from U.S. EPA with a F.O.I.A. request from Atlanta Georgia that states the oil pits listed on the farm owned by one of our members was removed and reclaimed in November 1989. The oil pits are still there on the property and anyone can see them. We cannot understand why Ashland Inc has not been fined for breaking both State and Federal pollution laws now in place.

Why, after ten years is the TEMPORARY storage pit still in our area and the EPA cannot tell us how long temporary is? Why (by law) was this not published in local newspapers and the public notified for input for the installation of the storage pit? Why was the storage pit not installed by regulation of two liners with sand and monitoring devices between the liners? Why was Ashland Inc allowed to doze in pipe, when contaminated soil was all that was to be in the storage pit?

These questions still remain unanswered by the U.S. EPA and have been asked of them many times with no response. We have begged them to come to our area and let us show them these locations. They responded to us that they do not have the money to send a field inspector. With this said, How have they had the money to oversee the remediation activities in our area since 1992?

I spoke with the Morehead, Kentucky office some time back and was told that they (U.S. EPA) was taking Ashland Incorporated's readings on the storage pit and the fresh water monitoring wells and the U.S. EPA made then install. Why would you fine a company for polluting an area and then take their word on the readings? Would you send any bad reports in, especially if the EPA were not checking?

It is true that area residents have refused to let Ashland Inc on our properties. This only occurred after Ashland Inc has worked for 10 years on our properties and has created a bigger mess than if they had never touched it to start with. We refused to let them back on our properties after finding the radiated pipes, open pits, and buried pits on our properties, that Ashland Inc stated they had cleaned up.

This is the current situation we have and no one will address Ashland Inc for their wrong doings. No one will take us serious and come see for themselves that what we say is true. What does Ashland Inc have over State and Federal government agencies that they cannot be touched?

MITCH McCONNELL
KENTUCKY

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United States Senate

REPUBLICAN LEADER
COMMITTEES
AGRICULTURE
APPROPRIATIONS
RULES AND ADMINISTRATION

April 19, 2007

The Honorable Stephen Johnson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460-0001

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Dear Administrator Johnson:

I am writing on behalf of a constituent, [redacted], who has contacted me regarding your response to my letter on [redacted] behalf.

Because [redacted] has several concerns about your response, I have enclosed a copy of my constituent's most recent correspondence, and I would appreciate your review and response to [redacted] questions and concerns. Please direct any inquiries and all relevant information to Pam Simpson in my Washington, D.C. office.

Thank you for your time and assistance. I will look forward to receiving your response.

Sincerely,



MITCH McCONNELL
UNITED STATES SENATOR

MM/PS

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We just want a safe place to live and raise our families as others in the United States and the Commonwealth of Kentucky enjoy.

Your assistance is greatly appreciated and we hope it will continue until this matter can be resolved for what is just and fair for the residents of the Martha Oil Field.

I eagerly await your response to this priority matter.

Thank You,

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MITCH McCONNELL
KENTUCKY

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United States Senate

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AGRICULTURE
APPROPRIATIONS
RULES AND ADMINISTRATION

June 24, 2008

The Honorable Stephen Johnson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460-0001

Exemption 6 Personal Privacy

Dear Administrator Johnson:

I write on behalf of _____, who have contacted me regarding
the Martha Oil Field reclamation efforts. I would appreciate your review and response to my
constituent's questions and concerns.

I have enclosed a copy of _____ correspondence, for your information. Please direct
any inquiries and all relevant information to Allison Thompson in my Washington, D.C. office.

Thank you for your time and assistance. I will look forward to receiving your response.

Sincerely,



MITCH McCONNELL
UNITED STATES SENATOR

MM/at

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NO. 883 P. 2

ORDER SERVICE

JUN. 24. 2008 6:04PM

E-Mail Viewer

Message	Details	Attachments	Headers	Source
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HTML

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 <ISSUE>ENVIRONMENT</ISSUE>
 <MSG>April 30, 2008

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Dear Senator McConnell,

I am encouraged at your recent commercial about radiation. Your support against radiation in the workplace is commendable but my neighbors and I need your help with radiation on our home places.

Here in the Martha Valley we also have a problem with radiation. I don't think that the EPA is doing enough to make sure that the Kentucky DEP is keeping us safe from a huge radioactive temporary storage cell right here on the Lawrence and Johnson County border.

Is there anything you can do to help us? If there is, I invite you to visit one of our weekly community meetings to explain it to us.

Some of Kentucky's best family farm land is still contaminated with radiation on our property, water sources, waterways and food source almost twenty-years after the EPA told us that our property was going to be cleaned of the oil industry's radioactive waste.

We love where we live and once had viable resources in the area, only to be destroyed by this waste from the oil industry. We have evidence that the company doing the clean-up is being allowed by the Kentucky DEP to land spread, cover up and bury radioactive material on resident's property- all violations of federal law and we need your help to get this in the right hands in the Federal Government.

Why are we less deserving of a safe place to live and raise our families than anyone else in not only this Commonwealth but in the United States? We just ask support for the betterment of area resident's health and livelihood as should be anywhere. The future depends on stronger healthier citizens with the ability to work and live in a safe environment.

Please prove to us that big money can be stopped from being allowed to control what is in the best interests of others when it clearly affects their lives and well being.

It is our hope that you will do the right thing and support our residents in ridding us of this devastating environmental hazard that has posed risks to us for over 40 years and has already taken the lives of several family, friends and loved ones.

Thank You,

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Close

